

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

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In re:

**Rebekah Suzanne Rushing**

S.S. No.: xxx-xx-5895  
Mailing Address: 1109 Lancaster Street, Durham, NC 27701-

**Case No. 11-80124**

Debtor.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on January 24, 2011.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: February 25, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtor  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

**CH. 13 PLAN - DEBTS SHEET**  
(MIDDLE DISTRICT - DESARDI VERSION)

**RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN**

Retain	Creditor Name	Sch D #	Description of Collateral
	ZX Fitness		Spa Membership

**ARREARAGE CLAIMS**

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
				**
				**
				**
				**
				**
				**
				**
				**
				**
				**
				**

**UTD - DUE ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS**

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		

**STD - SECURED DEBTS - a FMV**

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			

**STD - SECURED DEBTS - a 100%**

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Sammi's Auto	8	\$3,490	5.00	\$35	\$103.03	1997 Ford Explorer
	Triangle Auto Brokers		\$5,496	5.00	\$37	\$162.25	1999 Chevrolet Tahoe
				5.00			
				5.00			
				5.00			

**ATTORNEY FEE (Unpaid part)**

Law Offices of John T. Orcutt, P.C. **\$2,800**

**SECURED TAXES**

Secured Amnt

IRS Tax Liens

Real Property Taxes on Retained Realty

**UNSECURED PRIORITY DEBTS**

Amount

IRS Taxes

State Taxes

Personal Property Taxes

Alimony or Child Support Arrearage

CO-SIGN PROTECT (Pay 100%) Int. % Payoff Amnt

All Co-Sign Protect Debts (See\*)

**GENERAL NON-PRIORITY UNSECURED**

Amount\*\*

DMI= None(\$0) None(\$0)

**Other Miscellaneous Provisions**

Plan to allow for 3 "univers".

Date: **12/15/10**

Lastname-SS#: **Rushing-5895-B**

**SURRENDER COLLATERAL**

Creditor Name	Description of Collateral

**REJECTED EXECUTORY CONTRACTS/LEASES**

Creditor Name	Description of Collateral

**PROPOSED CHAPTER 13 PLAN PAYMENT**

\$ **281** per month for **48** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **10.59** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

\* = May include up to 2 post-petition payments.

\*\* = Co-sign protect on all debts so designated on the filed schedules

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(DeSardi Version 1/12/10) © LOJTO

## CERTIFICATE OF SERVICE

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
Kaelyn McCollum

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Duke Energy c/o JL Walston & Associates 1530 North Gregson Street Durham, NC 27701-1164
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	Absolute Collection Service ** 421 Fayetteville Street Mall Suite 600 Raleigh, NC 27601	Durham County Tax Collector Post Office Box 3397 Durham, NC 27701
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	Cash Advance 2533 N. Carson Street Suite 4976 Carson City, NV 89706	GTI 2501 University Drive Durham, NC 27707
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	Cash Advance Network c/o Accounts Receivable Mgmt 9000 Regency Square Blvd. Ground Floor Jacksonville, FL 32211	Internal Revenue Service (MD)** Post Office Box 7346 Philadelphia, PA 19101-7346
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	Child Support Enforcement Post Office Box 20800 Raleigh, NC 27619-0800	Law Offices of John T. Orcutt 6616-203 Six Forks Road Raleigh, NC 27615
Experian P.O. Box 2002 Allen, TX 75013-2002	Credit Bureau of Greensboro** Post Office Box 26140 Greensboro, NC 27402-0040	Nation Lending c/o Accounts Receivable Management 9000 Regency Square Blvd. Ground Floor Jacksonville, FL 32211
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Credit Financial Services*** Post Office Box 451 Durham, NC 27702-0451	North Carolina Department of Revenue c/o Reginald S. Hinton Post Office Box 25000 Raleigh, NC 27640-5000
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	CSDDUR Post Office Box 530 Durham, NC 27702-0530	North Carolina Dept of Revenue** Post Office Box 1168 Raleigh, NC 27602-1168
Internal Revenue Service (ED)** Post Office Box 7346 Philadelphia, PA 19101-7346	Dick Patton Realty ** 3115 Guess Road Durham, NC 27704	Sammi Auto Sales Attn: Managing Agent 3114 Wake Forest Hwy Durham, NC 27703

Santander Consumer USA\*\*  
Bankruptcy Dept/Attn: Managing Agt  
Post Office Box 560284  
Dallas, TX 75356-0284

SunTrust  
Recovery Department  
Post Office Box 85041  
Richmond, VA 23285-5041

Time Warner  
c/o Credit Management  
4200 International PKWY  
Carrollton, TX 75007

Triangle Auto Brokers  
Attn: Managing Agent  
3301 N. Roxboro Road  
Durham, NC 27704

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Wachovia Bank National Association  
Central Bankruptcy Department  
Post Office Box 13765  
Roanoke, VA 24037